

SEP 13 2006

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF
PATENT APPEALS AND INTERFERENCES**

Application No. 09/989,682
Filing Date November 20, 2001
First-Named Inventor Clarke
Title Packaging of Respiring Biological Materials
Art Unit 1761
Examiner Name Weinstein, Steven L.
Attorney Docket No. 13282-2

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

Applicant being a small entity, the fee for this Notice of Appeal is \$250.00, which is paid herewith.

It is noted that, if the Examiner, after consideration of the reply filed September 14, 2006, either allows the application or withdraws the finality of the last decision of the Examiner, this Appeal will not be required.

I am the attorney or agent of record.

Respectfully submitted

T.H.P. Richardson,
Registration No. 28,805
Tel: 650 854 6304

Date September 13, 2006.

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this paper is being sent by facsimile transmission to the United States Patent and Trademark Office (571-273-8300) on September 14, 2006
Typed name of person signing this certificate: T. H. P. Richardson, Reg No. 28,805, Tel No. 650 854 6304
Signature

